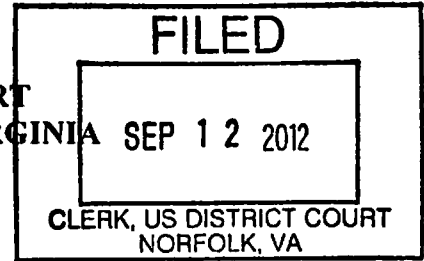


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



ROSA BONDS,

Plaintiff,

v.

Civil No. 2:11cv578

MICHAEL J. ASTRUE,

Defendant.

FINAL ORDER

Plaintiff Rosa Bonds brought this action under 42 U.S.C. § 405(g) seeking judicial review of the final decision of Social Security Commissioner Michael J. Astrue denying her claim for disability insurance benefits ("DIB") under Title II of the Social Security Act. Pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B), Rule 72(b) of the Federal Rules of Civil Procedure, Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia, and by order of reference dated January 5, 2012, this matter was referred to United States Magistrate Judge Douglas E. Miller for a Report and Recommendation. ECF No. 8.

In a Report and Recommendation ("R&R") filed August 22, 2012, Judge Miller found that the Administrative Law Judge's decision to deny Bonds's claim for DIB was not based upon substantial evidence. ECF No. 15 at 12. Accordingly, Magistrate Judge Miller recommended vacating the decision of the Commissioner and remanding this case to the Commissioner for further proceedings consistent with the R&R. *Id.* at 13.

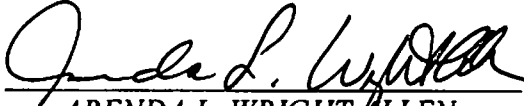
By copy of the R&R, each party was advised of the right to file written objections to the findings and recommendations made by Judge Miller within fourteen (14) days from the date the R&R was mailed, pursuant to Rule 6(a) of the Federal Rules of Civil Procedure. The time for

filing written objections has passed, and neither party has filed objections. As indicated in the R&R, "failure to file timely objections to the findings and recommendations set forth [in the R&R] will result in waiver of right to appeal from a judgment of this Court based on such findings and recommendations." *Id.* at 14.

This Court has reviewed the R&R of Judge Miller and hereby **ADOPTS** and **APPROVES** in full the findings and recommendations set forth therein. Accordingly, it is hereby **ORDERED** that the final decision of the Commissioner be **VACATED** and this case be **REMANDED** to the Commissioner for further proceedings consistent with the R&R.

The Clerk is **REQUESTED** to send a copy of this Final Order to all counsel of record.

IT IS SO ORDERED.


ARENDA L. WRIGHT ALLEN
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
September 11, 2012